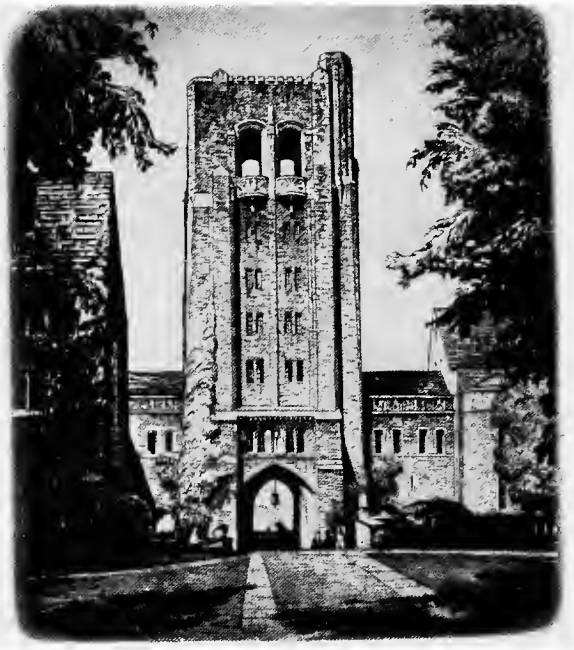

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§ **383.**—Browne vs O'Brien, 41 Super. Ct., J. & S., 539. Watson vs Street R. R. Co., 93 N. Y., 522; 48 Super. Ct., 44. Dickinson vs The Mayor, &c., 28 Hun, 254; 92 N. Y., 584; 3 Browne C. P., 93; 62 How., 255; 16 Week. Dig., 130. People *ex rel.* Byrne vs French, 3 Browne C. P., 180; 12 Abb. N. C., 156. Frankel vs Elias, 60 How., 74. Acker vs Acker, 81 N. Y., 43.

§ **384.**—VanIngen vs Snyder, 24 Hun, 81. Dusenbury vs Keiley, 85 N. Y., 383.

§ **385.**—Browne vs O'Brien, 41 Super. Ct., 539. Frankel vs Elias, 60 How., 74.

§ **386.**—Cuck vs Quackenbush, 13 Hun, 107. Green vs Disbrow, 79 N. Y., 1. Huebner vs Roosevelt, 6 Daly, 337. Vietz vs Union Nat. Bank, 31 Hun, 484. Gilbert vs Comstock, 13 Week. Dig., 166. Devinelle vs Edy, 5 Browne C. P., 45; 66 How., 328.

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§ **388.**—Reitz vs Reitz, 14 Hun, 536. *In re* Manhattan Savings Institution, 82 N. Y., 142. Compton vs Elliot, 48 N. Y., Super. Ct., 211. FitzPatrick vs Dorland, 27 Hun, 291. People *ex rel.* Sheridan vs French, 13 Abb. N. C., 413; 31 Hun, 617.

§ **389**.—*In re* Brandeth, 14 Hun, 585.

§ **390**.—Clark vs Lake Shore & M. S. R. R. Co., 94 N. Y., 217. Plympton vs Bigelow, 12 Abb. N. C., 203; 29 Hun, 362; 93 N. Y., 592.

§ **391**.—Merritt vs Carpenter. 12 Week. Dig., 233.

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§ **395**.—Kincaid vs Archibald, 10 Hun, 9; aff'd 73 N. Y., 189. Morrow vs Morrow 12 Hun, 386. Smith vs Ryan, 66 N. Y., 352. City National Bank vs Phelps, 86 N. Y., 484. Anderson vs Sibley, 28 Hun, 16; 15 Week. Dig. 382. Stoker vs Walters. 12 Week. Dig., 321. DeFreest vs Warner, 30 Hun, 94. McMullen vs Rafferty, 15 Week. Dig., 198. Clark vs VanAmburgh, 14 Hun, 557. Haight vs Avery, 16 Hun, 252.

§ **396**.—Acker vs Acker, 16 Hun, 173; rev'd, 81 N. Y., 143. Becker vs Bochus, 5 Redf., 488. Shriver vs Shriver, 86 N. Y., 575. Clark vs Gibbons, 81 N. Y., 397.

§ **397**.—Wheelock vs Lee, Abb. N. C., 72–74.

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§ **399**.—Reeve vs Crosby, 3 Redf. Surr., 74. Burgett vs Strickland, 32 Hun, 264; 5 Browne C. P., 276; 19 Week. Dig., 124.

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§ **401.**—Londriggan vs N. Y. & N. H. R. R. R. Co,, 12 Abb. N. C., 272: 49 Super. Ct., 526; 5 Browne C. P., 76. Ullner vs Butterfield, 49 Super. Ct., 515.

§ **402.**—Green vs N. Y. C. & H. R. R. R. Co., 48 N. Y., Super. Ct., 333; 2 Browne C. P., 427.

§ **403.**—Amended in 1879. Chapman vs Fonda, 24 Hun, 130. Green vs N. Y. C. & H. R. R. R. Co., 48 Super. Ct., 333; 2 Browne C. P., 427.

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§ **411.**—Drake vs Wilkie, 30 Hun, 537.

§ **412.**—Plympton vs Bigelow, 12 Abb. N. C., 203; 29 Hun, 362; 2 McC. C. P., 431; *id.*, 131; 93 N. Y., 592. Drake vs Wilkie, 30 Hun, 537.

§ **413.**—Plympton vs Bigelow, 12 Abb. N. C., 203; 29 Hun, 362; 2 McC. C. P., 431; *id.*, 131; 3 Browne C. P.. 182; 93 N. Y., 592. Hansee vs Mead, 27 Hun, 162; 2 Browne C. P., 175. Budd vs Walker, 29 Hun, 344; 3 Browne C. P., 422; 17 Week. Dig., 31. Stephens vs Cornell, 19 Week. Dig., 306.

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§ **416.**—Brandon M'f'g Co. vs Pettingill, 2 Abb. N. C., 162. Howell vs Adams, 68 N. Y., 314. Ingersoll vs Mangam, 84 N. Y., 622; 1 McC. C. P., 151. Gribbon vs Freel, 93 N. Y., 93; 2 McC. C. P., 482; 65 How, 273. Acker vs Hautemann, 27 Hun, 48; 63 How., 280; 14 Week. Dig., 223. Pickhardt vs Antony, 27 Hun, 269.

§ **417.**—Amended 1879. Wright vs Wright, 7 Daly, 62. Osborn vs McCloskey, 55 How., 345. Wiggins vs Richmond, 58 How., 376. Weil vs Martin, 1 McCarty C. P., 133. The Mayor vs Eisler, 2 Browne C. P., 125; 10 Daly, 396.

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§ **420.**—Bullard vs Sherwood, 85 N. Y., 253. Smith vs Rathbun, 88 N. Y, 660. Horton vs Ladue, 59 How., 454. Adams vs Ward, 60 How., 288.

§ **421.**—VanDyck vs McQuade, 18 Hun, 376. Douglass vs Haberstro, 58 How., 276. Couch vs Mulhane, 63 How., 79. Krause vs Averill, 66 How., 97; 4 Browne C. P., 410.

§ **422.**—Douglas vs Haberstro, 58 How., 276. Couch vs Mulhane, 63 How., 179. Krause vs Averill, 66 How., 97; 4 Browne C. P.. 410.

§ **423.**—Barker vs Burton, 67 Barb., 458.

§ **424.**—Ward vs Roy, 69 N. Y., 96. Bissell vs N. Y. C. & H. R. R. R. Co., 67 Barb., 385. Wheelock vs Lee, 5 Abb. N. C., 73. Ingersoll vs Mangam, 84 N. Y., 622; 1 McC. C. P., 151. Pomeroy vs Ricketts, 27 Hun, 242; 91 N. Y., 668; 16 Week. Dig, 327. Pryor vs Clapp, 1 Dem., 387. Catlin vs Moss, 2 Browne C. P., 201. Thistle vs Thistle, 5 Browne C. P., 43; 66 How., 472.

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§ **427.**—Palmer vs Phœnix Mutual Life Insurance Co., 84 N. Y., 63. Erwin vs Oregon Railway & Nar. Co., 28 Hun, 269.

§ **428.**—People *ex rel.* Jefferson vs Smith, 88 N. Y., 576.

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§ **431.**—Emerson vs A. & O. L. R. R. Co., 13 Hun, 150. Hetzel vs Tannehill Mining Co., 4 Abb. N. C., 40. Pope vs Terre Haute, &c., M'f'g Co., 87 N. Y., 137. Hathaway vs Am. Mining Stock Exch., 31 Hun, 575.

§ **432.**—Sub. 1.—A. & P. Tel. Co. vs B. & O. R. R. Co., 46 Super. Ct. (J. & S.), 380; S. C., 87, N. Y., 355. Pope vs Terre Haute, &c., M'f'g Co., 87 N. Y., 137; *id.* 24 Hun, 238; *id.*, 60 How., 419; 63 *id.*, 137. Hathaway vs Am. Mining Stock Exchange, 31 Hun, 575. Plympton vs Bigelow, 13 Abb. N. C., 173; 93 N. Y., 592.

§ **432.**—Sub. 2.—

§ **432.**—Sub. 3.—Barnes vs Mobile, &c., R. R. Co., 12 Hun. 126. Sterett vs Denver & R. G. R. R. Co., 17 Hun, 316. Redington vs Mariposa L. & M. Co., 19 Hun, 405.

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§ **434.**—Sub. 1.—Spaulding vs Lyon, 2 Abb. N. C., 203.

§ **434.**—Sub. 2.—Peck vs Richardson, 9 Hun, 567.

§ **435.**—Laws 1880, ch. 535, p. 755. Orr vs Ewen, 16 Hun, 625. McCarthy vs McCarthy, *id.*, 546; S. C., 55 How., 418. Carter vs Youngs, 42 Super. Ct. (J. & S.), 169. Nagle vs Taggart, 4 Abb. N. C., 144. Bogart vs Sweezey, 26 Hun, 463.

§ **436.**—Gaffney vs Bigelow, 2 Abb. N. C., 311. Orr vs Ewen, 16 Hun, 625.

§ **437.**—Orr vs Ewen, 16 Hun, 625.

§ **438.**—Amended 1879 and 1884, ch. 399, p. 481. Bogart vs Sweezey. 26 Hun, 463. DeMeli vs DeMeli, 90 N. Y., 654. Smith vs Mahon, 27 Hun, 40; 63 How., 382; 2 Browne C. P., 55. Place vs Riley, 32 Hun, 17. Williamson vs Williamson, 3 Browne C. P., 69; 2 McC. C. P., 428; 64 How., 450. O'Neil vs Bender, 30 Hun, 204. Wood vs St. Louis Bolt, &c., Co., 1 McC. C. P., 220. Weil vs Martin, 1 McC. C. P., 133.

§ **439.**—Amended 1879. Bogart vs Sweezey, 26 Hun, 463. DeMeli vs DeMeli, 90 N. Y., 654. Smith vs Mahon, 27 Hun, 40; 63 How., 382; 2 Browne, C. P., 55. Orvis vs Lambeau, 2 McC. C. P., 250. Williamson vs Williamson, 2 McC. C. P., 428; 3 Browne C. P., 69; 64 How., 450. Lockwood vs Brantly, 31 Hun, 155. Weil vs Martin, 1 McC. C. P., 133. McCully vs Heller, 66 How., 468. Greenbaum vs Dwyer, *id.*, 266; 4 Browne C. P.. 276.

§ **440.**—Amended laws, 1879. ch. 542. Gaffney vs Bigelow, 2 Abb. N. C., 311. Smith vs Wells, 69 N. Y., 600. Howe Machine Co., vs Pettibone, 12 Hun, 657. McCool vs Boller, 14 Hun, 73. Ritter vs Griffith, 16 Hun, 454. Green vs Squires, 20 Hun, 15. Market National Bank vs Pacific National Bank, 15 N. Y. Week. Dig., 24, S, C.; 11 Abb. N. C., 104; 89 N. Y., 397. O'Neil vs Bender, 30 Hun, 204. Weil vs Martin, 1 McC. C. P., 133. Schumaker vs Crossman, 12 Week. Dig., 99 Thistle vs Thistle, 66 How., 472; 5 Browne C. P., 43.

§ **441.**—Market National Bank vs Pacific National Bank, 15 N. Y., Week. Dig., 24, S. C.; 11 Abb. N. C., 104; 89 N. Y., 397.

§ **442.**—Orvis vs Schmidt. 2 Browne, C. P., 314.

§ **443.**—Orvis vs Lambeau, 2 McC. C. P., 250. O'Neil vs Bender, 30 Hun, 204. Orvis vs Schmidt, 2 Browne C. P., 314. Thistle vs Thistle, 66 How., 472; 5 Browne C. P., 43.

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§ **445.**—McCarthy vs McCarthy, 13 How., 579.

§ **446.**—People vs Mutual Gas Light Co., 14 Hun, 157. People *ex rel.* Petry vs De Bevoise, 27 Hun, 596. Derham vs Lee, 87 N. Y., 599. Lasher vs Northwestern National Insurance Co., 55 How., 324. Lawrence vs Townsend, 15 Week. Dig., 50. Prouty vs Whipple, 10 Week. Dig., 387. Danaher vs City of Brooklyn, 4 Browne C. P., 286.

§ **447.**—Dean vs Whiton, 16 Hun. 203. Haas vs Craighead, 19 Hun, 396. Fowler vs Mutual Life Insurance Co., 28 Hun, 195. Smith vs Crissey, 13 Abb. N. C., 149; 66 How., 112; 4 Browne C. P., 433. Derham vs Lee, 87 N. Y., 599. Meigs vs Willis, 5 Browne C. P., 106; note 108. Rank vs Levinus, 5 Browne C. P,, 368.

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§ **453.**—Haas vs Craighead, 19 Hun, 396. Triebing vs Vetter, 12 Abb. N. C., 303.

§ **454.**—Laws 1878, p. 412. Dean vs Whiton, 16 Hun, 203. Levin vs Haas, 25 Hun, 266. Quin vs Bowe, 11 Abb. N. C., 115; 10 Daly, 505.

§ **455.**—Ely vs Clute, 19 Hun, 37.

§ **456.**—Dean vs Whiton, 16 Hun, 203. Levin vs Haas, 25 Hun, 266. Smith vs Hathorn, 25 Hun, 159. Hill vs Alvord, 19 Hun, 77. City Nat. Bank vs Phelps, 16 Hun. 158.

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§ **460.**—Quinnan vs Clapp, 10 Abb., N. C., 394 (note.) Joyce vs Cooper, 49 Super. Ct., 115. Irving vs Garrity, 4 Browne C. P., 105.

§ **461.**—Elwin vs Routh, 1 McC. C. P., 131.

§ **462.**—Elwin vs Routh, 1 McC. C. P., 131.

§ **463.**—Lyons vs Murat, 54 How., 368; 4 Abb. N. C., 15.

§ **464.**—Lyons vs Murat, 54 How., 368; 4 Abb. N. C., 15.

§ **465.**—Lyons vs Murat, 54 How., 368; 4 Abb. N. C., 15.

§ **466.**—Winne vs Niagara Fire Insurance Co., 91 N. Y., 185.

§ **467.**—Quinnan vs Clapp, 10 Abb. N. C., 394 (note.) Lyons vs Murat, 54 How., 368; 4 Abb. N. C., 15.

§ **468.**—Laws 1878, p. 412. Segelken vs Meyer, 94 N. Y., 473; aff'g, 14 Hun, 593; 5 Browne C. P. 1.

§ **469.**—Segelken vs Meyer, 14 Hun, 593; aff'd, 94 N. Y., 473; 5 Browne C. P., 1. Steinberg vs Manhattan Ry. Co., 46 Super. Ct., 216. Kleinpeter vs Enell, 2 Browne C. P., 21. *In re* Daly, 2 Browne C. P., 22 (Note). *In re* Maug, 19 Week. Dig., 352; 5 Browne C. P., 162. Hayes vs Second Ave. R. R. Co., 5 Browne C. P., 155.

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§ **471.**—Freund vs Washburn, 17 Hun, 543. Ingersoll vs Mangam, 1 McC. C. P., 151. Bellamy vs Guhl, 62 How., 460.

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§ **485.**—Stricken out in 1877.

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§ **487.**—Bernard vs Morrison, 2 McC. C. P., 425; *id.*, 213; 2 Browne C. P., 399.

§ **488.**—DeBusierre vs Holladay, 4 Abb. N. C., 111. Bartholomew vs Lyon, 67 Barb., 86. Richtmyer vs Richtmyer, 50 Barb., 55. Hand vs Burrows, 15 Hun, 481. Enos vs Leach, 18 Hun, 139. Marie vs Garrison, 83 N. Y., 14; 13 Abb. N. C., 210. Allen vs Buffalo, 38 N. Y., 280. People *ex rel.* Lord vs Crooks, 53 N. Y., 648. Irving Nat. Bank vs Corbett, 10 Abb. N. C., 85. Gillett vs Inman Steamship Co., 26 Hun, 107. Higgins vs Chrichton, 2 McCarty C. P., 78; 2 Browne C. P., 317. Castro vs Uriarte, 2 McC. C. P., 199. Bernard vs Morrison, 2 McC. C. P., 425; *id.*, 213. People vs Met. T. & T. Co., 31 Hun, 596. Fourth Nat. Bank vs Scott, 31 Hun, 301. Sullivan vs N. Y., N. H. & H. R. R. Co., 1 McC. C. P., 285; 61 How., 490. Crowley vs Royal Ex. Shipping Co., 2 Browne C. P., 174. Gardner vs Locke, 2 Browne C. P., 252. Danaher vs City of Brooklyn, 4 Browne C. P., 286. Beal vs Union Paper Co., 4 Browne C. P., 18. Smith vs Davis, 4 Browne C. P., 158.

§ **489.**—Stricken out in 1877.

§ **490.**—Enos vs Leach, 18 Hun, 138.

§ **491.**—Stricken out in 1877.

§ **492.**—Castro vs Uriarte, 2 McC. C. P., 199. Bernard vs Morrison, 2 McC. C. P., 425; *id.*, 213; 2 Browne C. P., 399.

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§ **494.**—White vs Drake, 3 Abb. N. C., 133. Cragin vs Lovell, 2 Browne C. P., 128. Clarkson vs Manson, 60 How., 45.

§ **495.**—Cragin vs Lovell, 88 N. Y., 258. Clarkson vs Manson, 60 How., 45. Matthew vs Stietz, 5 Browne C. P., 235 Bell vs Lesbini, 4 Browne C. P., 367; 66 How., 385.

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§ **497.**—Wheelock vs Lee, 5 Abb. N. C., 74.

§ **498.**—Hand vs Burrows, 15 Hun. 481. DeBusierre vs Holladay, 4 Abb. N. C, 111. Marshall vs Lippman, 16 Hun, 110. Holbrook vs Baker, 16 Hun, 176. Cragin vs Lovell, 88 N. Y, 258. Wotherspoon vs Wotherspoon, 49 Super. Ct, 152. Bernard vs Morrison, 2 McC. C. P., 425; *id.*, 213. Matthews vs Stietz, 5 Browne C. P., 235.

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§ **506**.—Jordon vs Nat. Sboe & Leather Bank, 12 Hun, 512; S. C., aff'd, 74 N. Y., 467 Wetmore vs Porter, 92 N. Y., 76.

§ **507**.—Amended 1879. Seligman vs Dudley. 14 Hun, 186. Moody vs Moody, 16 Hun, 189. Hammond vs Earle, 5 Abb., N. C., 106. Bruce vs Burr, 67 N. Y,, 237. Durham vs Lee, 47 Super. Ct., 174. Chatfield vs Simonson. 92 N. Y., 209.

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§ **509.**—Barthet vs Elias, 2 Abb. N. C., 364. Ennis vs Curry, 22 Hun, 586.

§ **510.**—Stricken out in 1877.

§ **511.**—Amended 1879. Marsh vs West, &c., Co., 46 Super. Ct., 8. Bradbury vs Winterbottom, 13 Hun, 536. Hall vs Holt, 25 Hnn, 277. Levin vs Haas, 25 Hun, 266. Davies vs Mayor, &c., 48 N. Y., Super. Ct., 194.

§ **512.**—Dingee vs Shears, 29 Hun, 210.

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§ **515.**—Adams vs Roberts, 1 McC. C. P., 204; 62 How, 253.

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§ **525.**—Amended 1879. People vs Mutual Gas Light Co. 14 Hun, 157. Hyde vs Salg, 27 Hun, 369. *In re* King. 2 McCarty C. P., 71. Lyons vs Murat, 54 How., 23; 4 Abb. N. C., 13.

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§ **536.**—Hatfield vs Lasher, 17 Hun, 23; 57 How., 258; S. C., 81 N. Y., 246. Distin vs Rose, 69 N. Y., 122. Wandell vs Edwards, 25 Hun, 498. Bradner vs Faulkner, 93 N. Y., 515: 16 Week. Dig., 240.

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§ **550.**—Amended 1879. Gibbs vs Hichborne, 12 Hun, 480. Sloan vs Livermore, 14 Hun, 29. Bassett vs Pitts, 15 Hun, 464. Genesee R. Nat. Bank vs Mead, 18 Hun, 303. Hecht vs Levy, 20 Hun, 53. Duncan vs Guest, 24 Hun, 639. Lachenmeyer vs Lachenmeyer, 26 Hun, 542. Segelken vs Meyer, 94 N. Y., 473; 5 Browne C. P., 1 *id.*, 258. Cormier vs Hawkins, 69 N. Y., 188. Simpson vs St. John, 93 N. Y., 363. Bowery National Bank vs Duryee, 74 N. Y., 491; 54 How., 450; 55 *id*, 88; 56 *id.*, 42. Fellows vs Cook, 6 Daly, 204. Josuez vs Murphy, 6 Daly, 324. Taylor vs Faas, 14 Hun, 166. Welch vs Winterburn, 14 Hun, 518. Ætna Ins. Co. vs Shuler, 28 Hun, 338. Burbridge vs Hart, 54 How., 455. Lippman vs Shapiro, 19 Week. Dig., 504.

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§ **550.**—4.—Allen vs Hyde, 2 Abb N. C., 197. Genesee R. Nat. Bank vs Mead, 18 Hun, 303. Boucicault vs Boucicault, 21 Hun, 431; 59 How., 131.

§ **551.**—Boucicault vs Boucicault, 21 Hun, 431; 59 How., 131 Lachenmeyer vs Lachenmeyer, 26 Hun, 542.

§ **552.**—Baxter vs Drake, 85 N. Y., 502; *id.*, 22 Hun, 565; 61 How., 365; 24 Alb. L. J., 73. Carter vs Hoffman, 2 Browne C. P., 328.

§ **553.**—Eypert vs Bolenius, 2 Abb. N. C., 193. Muser vs Miller, 12 Abb. N. C., 107; S. C., 49 Super. Ct., 458; 2 McC. C. P., 444; 3 Browne C. P., 388, 65 How., 283.

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§ **556.**—The People *ex rel.* Ireland vs Donohue, 15 Hun, 446. Peck vs Lombard, 22 Hun, 63.

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§ **558.**—Amended 1879. Bowery Nat. Bank vs Duryee, 54 How., 450; 55, *id.*, 88; 56, *id.*, 42; 74 N. Y., 491. Sloan vs Livermore, 55 How., 85; 14 Hun, 29. Williams vs Norton, 54 How., 509. Hecht vs Levy, 20 Hun, 53. Taylor vs Faas, 14 Hun, 166. Welch vs Winterburn, 14 Hun, 518. Lawrence vs Foxwell, 49 Super Ct., 273; *id.*, 278. Wright vs Field, 2 McC. C. P., 141. Segelken vs Meyer, 94 N. Y., 473; 5 Browne C. P., 1; *id.*, 258. Mather vs Hannauer, 55 How., 1. Southern Inland Nav & Imp. Co. vs Sherwin, 1 McC. C. P., 44. Thompson vs Friedberg, 54 How., 519.

§ **559.**—Amended 1879. Tunstall vs Winton. 31 Hun. 231. Mather vs Hannauer, 55 How., 1. Godfrey vs Pell, 4 Browne C. P., 448; 49 Super. Ct, 206.

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§ **561**.—Supreme Ct., Rule 13. Thompson vs Friedberg, 54 How., 519. Mather vs Hannauer, 55 How., 1. Kopelowich vs Kersburg, 13 Hun, 178.

§ **562**.—Amended 1879. Thompson vs Friedberg, 54 How., 519. Mather vs Hannauer, 55 How., 1.

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§ **564**.—Jenkins vs Smith, 57 How., 171.

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§ **566**.—Clady vs Wood, 66 How., 1.

§ **567**.—Mills vs Rodewald, 13 Hun, 439. Peck vs Lombard, 22 Hun, 63; 10 Week. Dig., 456.

§ **568**.—Sutton vs Sabey, 22 Hun, 557. Southern Inland Navigation & Imp. Co. vs Sherwin, 1 McC. C. P., 44. Tompkins vs Smith, 1 McC. C. P., 398. Harris vs Durkee, 5 Browne C. P., 376.

§ **569**.—Repealed 1877.

§ **570**.—Repealed 1877.

§ **571**.—Repealed 1877.

§ **572**.—Amended Laws 1882, ch. 397. Schelly vs Zink, 13 Hun, 538. Schmidt vs Heitner, 45 Super. Ct., J. & S., 334. Sumner vs Osborn, 22 Hun, 13. Watt vs Healy, 22 Hun, 491. Merchants National Bank vs Mosher, 54 How., 415.

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§ **574.**—McCallum vs Barnard, 58 How., 169.

§ **575.**—Davis vs Van Buren. 6 Daly, 391. Boucicault vs Boucicault, 21 Hun, 431; 59 How., 131. Levy vs Kaine, 55 How., 575. McCallum vs Barnard, 58 How., 169.

§ **576.**—Amended 1879. Kohn vs Burtnett, 59 How., 410.

§ **577.**—Amended 1879.

§ **578.**—Wheeler vs Millar, 61 How., 396.

§ **579.**—Wheeler vs Millar, 61 How., 396.

§ **580.**—Lewis vs Stevens, 93 N. Y., 57; 2 McC. C. P., 450; 65 How., 525; 4 Browne C. P., 224. Wheeler vs Millar, 61 How., 396.

§ **581.**—Lewis vs Stevens, 93 N. Y., 57; 2 McC. C. P., 450; 65 How., 525; 4 Browne C. P., 224.

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§ **589**.—Douglas vs Warren, 58 How., 264.

§ **590**.—Amended 1879.

§ **591**.—McCallum vs Barnard, 58 How, 169. Douglas vs Warren, 58 How., 264.

§ **592**.—Douglas vs Warren, 58 How., 264.

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§ **595**.—Douglas vs Haberstro, 88 N. Y., 611; 2 Browne C. P., 186; 62 How., 455; 19 Hun, 1; 25 *id.*, 262.

§ **596**.—Johnson vs Meyer, 17 Hun, 232.

§ **597**.—Johnson vs Meyer, 17 Hun, 232.

§ **598**.—Douglas vs Habestro, 88 N. Y., 611; 2 Browne C. P., 186; 62 How., 455; 25 Hun, 262.

§ **599**.—Douglas vs Haberstro, 88 N. Y., 611; 62 How., 455; 2 Browne C. P., 186; 25 Hun, 262; 19 *id.*, 1. Godfrey vs Pell, 49 Super. Ct., 206; 4 Browne C. P., 448 Southern Navigation Co. vs Sherwin, 1 Civ. Pro. Rep., 46.

§ **600**.—Lawrence vs Foxwell, 49 Super. Ct., 506; *id.*, 273; *id.*, 278; 4 Browne C. P., 340; *id.*, 351. Nehresheimer vs Bowe, 3 Browne C. P., 263. Walsh vs Schulz, 5 Browne C. P., 357.

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§ **602.**—Troy & Boston R. R. Co., vs Boston, H. T. & W. R. R. Co., 13 Hun, 60. Buffalo Grape Sugar Co., vs Alberger, 22 Hun, 349. Power vs Village of Athens, 19 Hun, 165.

§ **603.**—Chatterton vs Chreitler, 2 Abb. N. C., 453. Buffalo Grape Sugar Co., vs Alberger, 22 Hun, 349. McHenry vs Jewett, 90 N. Y., 58; 15 Week. Dig., 295; 26 Hun, 453. Stamm vs Bostwick, 30 Hun, 70; 2 McC. C. P., 467. Clinton Liberal Inst., vs Fletcher. 55 How., 431. Negus vs City of Brooklyn, 1 McC. C. P., 471.

§ **604.**—Mutual Life Insurance Co., vs National Bank of Newburg, 18 Hun, 371. Buffalo Grape Sugar Co., vs Alberger, 22 Hun, 349. McHenry vs Jewett, 26 Hun 453; 15 Week. Dig., 295; 90 N. Y., 58. Bates vs Plonsky, 2 McC. C. P., 221. Cassel vs Fisk, 2 McC. C. P., 241; 2 Browne C. P., 94. Stamm vs Bostwick, 2 McC. C. P., 467; 30 Hun, 70. Clinton Liberal Inst. vs Fletcher, 55 How., 431. Jerome Co., vs Loeb, 59 How., 508.

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§ **607.**—Rule 13. Tammien vs Clause, 67 Barb., 430. People *ex rel.* Negus vs Dwyer, 1 McC. C. P., 484; 90 N. Y., 402; 2 Browne C. P., 379.

§ **608**.—Spears vs Matthews, 66 N. Y., 127. Stamm vs Bostwick, 65 How., 358; 30 Hun, 70; 2 McC. C. P., 467.

§ **609**.—Met. El., R. R. Co., vs Man. R. R. Co., 2 McC. C. P., 473. People *ex rel.* Negus vs Dwyer, 90 N. Y., 402; 1 McC. C. P., 484.

§ **610**.—Rule 4. People *ex rel.* Negus vs Dwyer, 90 N. Y., 402; 1 McC. C. P., 484.

§ **611**.—The People vs White, 28 Hun, 289.

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§ **623**.—Palmer vs Foley, 2 Abb. N. C., 191; S. C., 42 Super. Ct. J. & S., 365. Jacobs vs Miller, 11 Hun, 441. Benedict vs Benedict, 76 N. Y., 600. Pacher vs Nevin, 67 N. Y., 550. Waterbury vs Bonker, 10 Hun, 262. Randall vs Carpenter, 47 Super. Ct., 205. Benedict vs Dixon, 47 Super. Ct., 477. Fourth National Bank vs Scott, 31 Hun, 301. Howell vs Miller, 5 Browne C. P., 164.

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§ **625**.—Fourth National Bank vs Scott, 31 Hun, 301.

§ **626**.—Coffin vs Pros. Park & Coney Island R. R. Co., 61 How., 105.

§ **627**.—Amended 1879. Jacobs vs Miller, 10 Hun, 230. Zellenkoff vs Collins, 23 Hun, 156.

§ **628**.—McCarthy vs McCarthy, 13 Hun, 579.

§ **629**.—Amended 1883, ch. 404, p. 576. Amended 1884, ch. 401, p. 483. Chamberlain vs B., N. Y. & P. R. R. Co., 31 Hun, 339. Met. El. R. R. Co., vs Man. R. R. Co., 2 McC. C. P., 473; 65 How., 277; *id.*, 319. Williams vs W. U. Tel. Co., 65 How., 326. McCarthy vs McCarthy, 13 Hun, 579.

§ **630**.—McEncroe vs Decker, 58 How., 250.

§ **631**.—Repealed 1877.

§ **632**.—Repealed 1877.

§ **633.**—Repealed 1877.

§ **634.**—Repealed 1877.

§ **635.**—Union Mining Co. vs Raht, 9 Hun, 208. Clark vs Boreel, 21 Hun, 594. Bogart vs Dart, 25 Hun, 395. Taylor vs Reid, 54 How., 27. Weiler vs Schreiber, 11 Abb. N. C., 175; 63 How., 491. Wittner vs VonMinden, 27 Hun, 234 Pomeroy vs Ricketts, 27 Hun, 242; 91 N. Y., 668. Pickhardt vs Antony, 27 Hun, 269. Hamilton vs Penny, 29 Hun, 265. Alford vs Cobb, 28 Hun, 22. Remington Paper Co. vs O'Dougherty, 32 Hun, 255; 19 Week. Dig., 53. Hirsch vs Hutchinson, 3 Browne C. P., 106; 64 How., 366. Achelis vs Kalman, 60 How., 491. Partridge vs Brown, 19 Week. Dig., 434. Smadbeck vs Sisson, 66 How., 220; 4 Browne C. P., 353.

§ **636.**—Anthony vs Stype, 19 Hun, 265. Donnell vs Williams, 21 Hun, 216; 59 How., 68. Milliken vs Dart, 26 Hun, 24. Achelis vs Kalman, 60 How., 491. Robinson vs Nat. Bank of New Berne, 58 How., 306. Lambkin vs Douglas, 10 Abb. N. C., 342; 63 How., 47; 27 Hun, 517. Taylor vs Reid, 54 How., 27. Wallace vs Castle, 68 N. Y., 370. Lyon vs Blakesley, 19 Hun, 299. Rupert vs Haug, 87 N. Y., 141; 62 How., 364; 1 McC. C. P., 411. Stevens vs Middleton, 26 Hun., 470. Trow's Printing, &c., Co. vs Hart, 9 Daly, 413; *id.*, 60 How., 190. Wittner vs VonMinden, 27 Hun, 234. Weiler vs Schreiber, 11 Abb. N. C., 175; 63 How., 491. Pomeroy vs Ricketts, 27 Hun, 242; S. C., 91 N. Y., 668; 15 Week. Dig., 25; 16 *id.*, 327; Pickhardt vs Antony, 27 Hun, 269. Alford vs Cobb, 28 Hun, 22. Cribben vs Schillinger, 30 Hun, 248. Hirsch vs Hutchinson, 3 Browne C. P, 106. Smith vs Davis, 3 Browne C. P., 75. Dolz vs Atlantic & G. S. Trans. Co., 3 Browne C. P., 162 Golden Gate Con. Co. vs Jackson, 13 Abb. N. C., 476. German Bank of London vs Dash. 60 How., 124. Ellison vs Berstein, 60 How., 145. Murray vs Hankin, 3 Browne, C. P., 343. Partridge vs Browne, 19 Week. Dig., 434. Smadbeck vs Sisson, 66 How., 220; 4 Browne C. P., 353. Reilly vs Sisson, 4 Browne C. P., 361. Mershon vs Leonard Scott Publishing Co., *id.*, 319.

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§ **638**.—Talor vs Troacoso, 76 N. Y., 599. Mojarrietta vs Saenz, 80 N. Y., 547. Blossom vs Estes, 84 N. Y., 614. Donnell vs Williams, 21 Hun, 216. Bogart vs Sweezey, 26 Hun, 463. Gribbon vs Freel, 93 N. Y., 93; 2 McC. C. P., 482; 65 How., 273. Pomeroy vs Ricketts, 91 N. Y., 668; S. C., 27 Hun, 242; 16 Week. Dig., 327; 15 Week. Dig., 25. Pickhardt vs Antony, 27 Hun, 269. Betzemann vs Brooks, 31 Hun, 271. Orvis vs Lambeau, 2 McC. C. P., 250. Catlin vs Moss, 2 Browne C. P., 201. Putnam vs Griffin, 19 Week. Dig., 46.

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§ **640**.—Baere vs Armstrong, 26 Hun, 19; 62 How., 515. Bate vs McDowell, 48 Super. Ct., 219. Sheldon vs Sabin, 4 Browne C. P., 4.

§ **641**.—Wehle vs Conner, 83 N. Y., 231. Plimpton vs Bigelow, 13 Abb. N. C., 173; 93 N. Y., 592; 4 McC. C. P., 189. Neely vs McGrandle, 4 Browne C. P., 327.

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§ **645.**—Hall vs Brooks, 89 N. Y., 33.

§ **646.**—Bills vs National Park Bank, 47 Super. Ct., 302; 89 N. Y., 343.

§ **647.**—Bills vs National Park Bank, 47 Super. Ct., 302; 89 N. Y., 343. Plimpton vs Bigelow, 93 N. Y., 592; S. C., 12 Abb. N. C., 202; 13 Abb. N. C., 173; 11 Abb. N. C., 180; 3 Browne C. P., 182; 29 Hun, 362; 2 McC. C. P., 431; *id.*, 131; 63 How., 484; 17 Week. Dig., 73; 18 Week. Dig., 85; 66 How., 131; 4 Browne C. P., 189.

§ **648.**—Bills vs National Park Bank, 47 Super, Ct., 302; 89 N. Y., 343. Plympton vs Bigelow, 12 Abb, N. C., 202; 13 Abb. N. C., 173; 2 McC. C. P., 431; S. C., 93 N. Y., 592. Casper vs Wallace, 5 Browne C. P., 361.

§ **649.**—Amended 1879. Hall vs Brooks, 25 Hun 577. Halben vs Reilly, 9 Daly, 271. Lamont vs Cheshire, 6 Lans , 234; 65 N. Y., 30. Bills vs National Park Bank, 47 Super. Ct., 302; S. C., 89 N. Y., 343. Plimpton vs Bigelow, 93 N. Y., 592; S. C., 11 Abb. N. C., 180; 12 Abb. N. C., 202; 29 Hun, 362; 2 McC. C. P., 431; *id.*, 131; 66 How., 131; 4 Browne C. P., 189. Wehle vs Conner, 69 N. Y. Y., 546; S. C., 83 N. Y., 231. Bates vs Plonsky, 28 Hun, 112; 2 Browne C. P., 389; 2 McC. C. P., 221. Anthony vs Wood, 29 Hun, 239; 19 Week. Dig., 177. *In re* Flandrow, 92 N. Y., 256. Wilson vs Kelly, 31 Hun, 75. Woolworth vs Taylor, 62 How., 90. Davidson vs Chatham Nat. Bank, 5 Browne C. P., 167. Casper vs Wallace, 5 Browne C. P., 361.

§ **650.**—Buckingham vs White, 25 Hun, 441; 1 McC. C. P., 365. Hall vs Brook, 25 Hun, 577. Almy vs Thurber, 12 Abb. N. C., 459; 3 Browne C. P., 351; 65 How., 481. Anthony vs Wood, 29 Hun, 239; 19 Week. Dig., 177. Smoot vs Heine, 1 McC. C. P., 208. Ess vs Toplanyi, 4 Browne C. P., 173.

§ **651.**—Buckingham vs White, 25 Hun, 441; 1 McC. C. P., 365. Hall vs Brooks, 25 Hun, 577. Almy vs Thurber, 3 Browne C. P., 351; 12 Abb. N. C., 459; 65 How., 481. Ess vs Toplanyi, 4 Browne C. P., 173.

§ **652.**—Campbell vs Conner, 41 Super. Ct., 459.

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§ **655.**—Hall vs Brooks, 25 Hun, 577; S. C., 89 N. Y., 33; 2 Browne C. P., 198. Almy vs Thurbur, 12 Abb. N C., 459; 65 How., 482; 3 Browne C. P., 351. Bowe vs Knickerbocker Life Ins. Co., 27 Hun, 312. Anthony vs Wood, 29 Hun, 239. Davidson vs Chatham Nat. Bank, 32 Hun, 138; 5 Browne C. P., 167. Bowe vs Arnold, 31 Hun, 256.

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§ **657.**—Halben vs Reilly, 9 Daly, 271. Carpenter vs Lott, 31 Hun, 349.

§ **658.**—Carpenter vs Lott, 31 Hun, 349.

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§ **678.**—Bills vs National Park Bank, 89 N. Y., 343.

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§ **682.**—Steuben Co. Bank vs Alberger, 55 How., 481; 78 N. Y., 252; 56 How. Pr., 345; 75 N. Y., 179. Godfrey vs Godfrey, 75 N. Y., 434. Duseldorf vs Redlich, 16 Hun, 624. Woodmansee vs Rogers, 82 N. Y., 88; Aff'g 20 Hun, 285; S. C., 58 How., 98; *id.*, 439; 59 *id.*, 402. Jacobs vs Hogan, 85 N. Y., 243; Rev'g 15 Hun, 197. Trow's Printing, &c., Co. vs Hart, 9 Daly, 413; 60 How., 190; 85 N. Y., 500; 1 McC. C. P , 240. Tim vs Smith, 93 N. Y., 87; 13 Abb. N. C., 31; 65 How., 353. National Shoe and L. Bank vs Mechanics' National Bank, 89 N. Y., 440. Parsons vs Sprague, 30 Hun, 19; 3 Browne C. P., 291; 65 How., 151; 17 Week. Dig., 261. Murray vs Hankin, 3 Browne C. P., 343. Market Nat. Bank vs Pacific Nat. Bank, 30 Hun, 50. Claflin vs Behr, 57 How , 78. People's Bank of New York vs Mechanics' Nat. Bank of Newark, 62 How., 422. Rupert vs Haug, 1 McC. C. P., 411; 62 How., 364; 87 N. Y., 141. Watts vs Nichols, 19 Week. Dig., 165. Sheldon vs Sabin, 4 Browne C. P., 4.

§ **683.**—Ives vs Holden, 14 Hun, 402. Steuben Co. Bank vs Alberger, 75 N. Y., 179; 78 N. Y., 252. Godfrey vs Godfrey, 75 N. Y , 434. Jacobs vs Hogan, 85 N. Y., 243; Rev'g 15 Hun, 197. Trow's Printing, &c., Co. vs Hart, 85 N. Y., 500; Aff'g 9 Daly, 413; 60 How., 190; 1 McC. C. P., 240. Rupert vs Haug, 87 N. Y., 141; 62 How., 364; 1 McC. C. P., 411. Pomeroy vs Ricketts, 27 Hun, 242 S. C.; 91 N. Y., 668. Parsons vs Sprague, 30 Hun, 19. Kibbe vs Wetmore, 31 Hun, 424. Murray vs Hankin, 3 Browne C. P., 343. Hirsch vs Hutchinson, 3 Browne C. P., 106; 64 How., 366. Tim vs Smith, 3 Browne C. P., 416; *id.* 347; 65 How., 353; 93 N. Y., 87. Achelis vs Kalman, 60 How., 491. Coffin vs Stitt, 19 Week. Dig., 22; 5 Browne C. P., 261. Williams vs Waddell, 5 Browne C. P., 191.

§ **684.**—Repealed 1877.

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§ **687.**—Trow's Printing, &c., Co. vs Hart, 9 Daly, 413; 85 N. Y., 500; 60 How., 190; 1 McC. C. P., 240. Claflin vs Behr, 57 How., 78.

§ **688.**—Duseldorf vs Redlich, 16 Hun, 624. McCombs vs Allen, 18 Hun, 190. Watts vs Nichols, 19 Week. Dig., 165.

§ **689.**—Gilmore vs Crowell, 67 Barb., 62. Watts vs Nichols, 19 Week. Dig., 165.

§ **690.**—Ellsworth vs Scott, 3 Abb. N. C., 9.

§ **691.**—Ellsworth vs Scott, 3 Abb. N. C.. 9.

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§ **699.**—Repealed 1877.

§ **700.**—Repealed 1877.

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§ **709**.—Woodruff vs Imperial Life Ins. Co., 90 N. Y., 521. Day vs Beach, 87 N. Y., 56. Ellsworth vs Scott, 3 Abb. N. C., 9. Hall vs U. S. Reflector Co., 66 How., 31; 4 Browne C. P., 148. Bowe vs U. S. Reflector Co., 4 Browne C. P., 154.

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§ **714.**—Amended 1879. McCarthy vs McCarthy. 13 Hun, 579. Whitney vs Welch, 2 Abb. N. C., 442. Attrill vs Rockaway Beach Imp. Co., 25 Hun, 509.

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§ **721.**—Amended 1879. McGowan vs Newman, 4 Abb. N. C., 80. Produce Bank vs Morton, 40 Super. Ct., 328; overruled in part, 67 N. Y., 199. Grant vs Griswold, 21 Hun, 509. Katt vs Germania Fire Ins. Co., 26 Hun, 429. Christal vs Kelly, 88 N. Y., 285. Piper vs Van Buren, 27 Hun, 384. Weil vs Martin, 1 McC. C. P., 133. Grant vs Birdsall, 2 Browne C. P., 422, Dezemgrel vs Dezemgrel, 24 Hun, 457.

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§ **730**.—Holmes vs McDowell, 15 Hun, 585. Pember vs Schaller, 58 How., 511. O'Sullivan vs Connors, 22 Hun, 137. Irwin vs Judd, 20 Hun, 562.

§ **731**.—Moffatt vs Henderson, 48 Super. Ct., 449.

§ **732**.—Cass vs Higenbotam, 27 Hun, 406.

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§ **742**.—Repealed 1877.

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§ **760**.—Amended 1879. Holsman vs St. John, 48 N. Y., Super Ct., 306; 2 McC. C. P., 146; 90 N. Y., 461; 2 Browne C. P., 48. Smith vs Zalinski, 94 N. Y., 519.

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§ **764**.—Amended 1881. Fulton vs Fulton, 8 Abb. N. C., 210.

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§ **766**.—Farnham, Supervisor, &c., vs Benedict, 29 Hun, 44; 16 Week. Dig., 170.

§ **767**.—Uline vs N. Y. C. & H. R. R. Co., 79 N. Y.. 175. Meyers vs Becker, 29 Hun, 567. Seeman vs Reicheman, 16 Week. Dig., 561. *In re* Thorn, 10 Daly, 71.

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§ **772**.—McCarthy vs McCarthy, 13 Hun, 579; S. C., 54 How., 97. Levy vs Loeb, 5 Abb. N. C., 157. Morehouse vs Yeager, 41 Super. Ct. (J. & S.), 306. Larkin vs Steele, 25 Hun, 254. Hull vs Hart, 27 Hun, 21. People vs Nat. Trust Co., 31 Hun, 20; 4 Browne C. P., 203. White vs Angell, 2 McC. C. P., 440. Marks vs King 13 Abb. N. C., 374; 66 How., 453. Gunning vs Appleton, 57 How., 510. People *ex rel.* Nichols vs Cooper, 57 How., 463.

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§ **775**.—Grant vs Griswold, 21 Hun, 509. Hull vs Hart, 27 Hun, 21. White vs Angell, 2 McC. C. P., 440.

§ **776**.—Harrison vs Neher, 9 Hun, 128. Knapp vs Post, 10 Hun, 35. People *ex rel.* Nichols vs Cooper, 57 How., 463.

§ **777.**—Verplanck vs Kendall, 47 Super. Ct., 513. People vs Globe Mut. Life Ins. Co., 57 How., 481.

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§ **779.**—Amended laws 1882, ch. 397. Amended 1879. Amended 1884, ch. 181, p. 213. Marsh vs Woolsey, 14 Hun, 1. Anonymous, 4 Abb. N. C., 11. Lyons vs Murat, 4 Abb. N. C., 13; 54 How., 23; *id.*, 368. Brown vs Kahn, 17 Hun, 599. Brown vs Griswold, 23 Hun, 618. Phipps vs Carman, 26 Hun, 518. Jones vs Easton, 11 Abb. N. C., 114. Hoyt vs Godfrey, 3 Browne C. P., 118. Valiente vs Bryan, 3 Browne C. P., 358; 65 How., 203. Tunstall vs Winton, 31 Hun, 220. Marks vs King, 13 Abb. N. C., 374; 66 How., 453. Lachenmeyer vs Lachenmeyer, 65 How., 422; 26 Hun, 254. *In re* assignment of Thorn, 10 Daly, 71. Wood vs Holmes, 19 Week. Dig., 121.

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§ **783.**—Duche vs Buffalo Grape Sugar Co., 11 Abb. N. C., 233; 2 McCarty C. P., 114. Lavalle vs Skelly, 90 N. Y., 546; 16 Weekly Dig., 41. Bellamy vs Guhl, 62 How., 460. Thompson vs Heidenrich, 66 How., 391.

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§ **785.**—Applies to all Courts. Laws 1882, ch. 399. Brown vs Mayor, &c., of N. Y., 9 Hun, 587.

§ **786.**—Travis vs Meyers, 67 N. Y., 542. Schuehle vs Reiman, 86 N. Y., 270.

§ **787.**—Market Nat. Bank vs Pacific Nat. Bank, 15 N. Y. Weekly Dig., 24 S. C.; 11 Abb. N. C., 104; 89 N. Y., 397. Marvin vs Marvin, 75 N. Y., 240.

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§ **790.**—Mayor, &c., vs Broadway, &c., R. R. Co., 12 Hun, 571; 54 How., 323.

§ **791.**—Amended 1882, chap. 397, and 1883, chap. 391, p. 568. Amended 1879, 1882, 1884, chap. 402, p. 483. Studwell vs Charter Oak Ins. Co., 19 Hun, 127. Peyser vs Wendt, 84 N. Y., 642. Bank of Attica vs Met. Nat. Bank, 91 N. Y., 239; 16 Weekly Dig., 80. Taylor vs Wing, 83 N. Y., 527; 1 McC. C. P., 43. Bartlett vs Musliner, 92 N. Y., 646. People *ex rel.* Augerstein vs Kinney, 92 N. Y., 647. Phila. Steamship Dock Co. vs Lorillard Steamship Co., 54 How., 508. Robertson vs Schellhaas, 62 How., 489. City Nat. Bank of Dallas vs Nat. Park Bank, 62 How., 495. Reilly vs Byrne, 1 McC. C. P., 201. Mayor, &c. vs Broadway, &c., R. R. Co., 12 Hun 571; 54 How., 323. Angle vs Kaufman, 4 Browne C. P., 201. Smith vs Keepers, 66 How., 474; 5 Browne C. P., 66.

§ **792.**—Mayor, &c., vs Broadway, &c., R. R. Co , 12 Hun, 571; 54 How., 323.

§ **793.**—Amended 1879. Bank of Attica vs Met. Nat. Bank, 91 N. Y., 239; 16 Weekly Dig., 80. Bartlett vs Musliner, 92 N. Y., 646. People *ex rel.* Augerstein vs Kinney, 92 N. Y., 647. Robertson vs Schellhaas, 62 How., 489. City Nat. Bank vs Nat. Park Bank, 62 How., 495. Mayor, &c., vs Broadway, &c., R. R. Co., 12 Hun, 571; 54 How., 323. Angle vs Kaufman, 4 Browne C. P., 201. Smith vs Keepers, 66 How., 474; 5 Browne C. P., 66.

§ **794.**—Mayor, &c., vs Broadway, &c., R. R. Co., 12 Hun, 571; S. C., 54 How., 323.

§ **795.**—Mayor, &c., vs Broadway, &c., R. R. Co., 12 Hun, 571: 54 How.. 323.

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§ **797.**—Amended 1879. Gaffney vs Bigelow, 2 Abb. N. C., 311. Asinari vs Volkening, 2 Abb. N. C., 454. Gross vs Clark, 1 McC. C. P., 17: *id.*, 464; 87 N. Y., 272. Marcele vs Saltzman, 66 How., 205.

§ **798.**—Marks vs King, 13 Abb N. C., 374: 66 How., 453. Green vs Warren, 14 Hun, 434. Marcele vs Saltzman, 66 How., 205.

§ **799.**—Rossner vs N. Y. Museum, 20 Hun, 182.

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§ **803.**—Mott vs Consumers' Ice Co., 2 Abb. N. C., 143. Martin vs Spofford, 3 Abb. N. C., 125. Walmsley vs Nelson, 2 Abb. N. C., 127. Cutter vs Pool, *id.* 130; S. C., 54 How., 311. Adriance vs Sanders, 11 Abb. N C., 422; 2 McC. C. P., 262. Boorman vs A. & P. R. R. Co., 78 N. Y., 599. Stillwell vs Priest, 85 N. Y., 649. Dale vs Stokes, 5 Redf., 586. Andrews vs Townshend, 48 N. Y. Super. Ct., 162. Shoe and Leather Assoc. vs Bailey, 49 Super. Ct., 385. Amsinck vs North, 62 How., 115; S. C., 1 McC. C. P., 180 (note). Babbitt vs Crampton, 1 McC. C. P., 169. Black vs Curry, 1 McC. C. P., 193. Martine vs Albro, 2 Browne C. P., 70. Anderson vs Townshend, 2 Browne C. P , 76. Meliesy vs Kahn, 19 Week. Dig., 339. Rafferty vs Williams, 19 Week. Dig., 341. Dickie vs Austin, 4 Browne C. P., 123.

§ **804.**—See § 803. Livingston vs Curtis, 12 Hun, 121. Stillwell vs Priest, 85 N. Y., 649. Dale vs Stokes, 5 Redf., 586. Babbitt vs Crampton, 1 McC. C. P., 169.

§ **805.**—Stillwell vs Priest, 85 N. Y., 649. Dale vs Stokes, 5 Redf., 586. Babbitt vs Crampton, 1 McC. C. P., 169.

§ **806.**—Dale vs Stokes, 5 Redf., 586. Shoe and Leather Assoc. vs Bailey, 49 Super. Ct., 385.

§ **807.**—Dale vs Stokes. 5 Redf., 586. Shoe and Leather Assoc. vs Bailey, 49 Super. Ct., 385.

§ **808.**—Martin vs Spofford 3 Abb. N. C., 125. Walmsley vs Nelson, 2 Abb. N. C., 127. Cutter vs Pool, 2 Abb. N. C., 130; S. C., 54 How., 311. Dale vs Stokes, 5 Redf., 586.

§**809.**—Dale vs Stokes, 5 Redf., 586.

§ **810.**—Bliss vs Molter, 58 How., 112; 8 Abb. N. C., 241.

§ **811.**—Morss vs Hasbrouck, 10 Abb. N. C., 410; 2 McC. C. P., 84; 63 How., 84. Delamater vs Byrne, 57 How., 170.

§ **812.**—Code C. P., §1335, as amended 1882, ch. 397. Irwin vs Judd, 20 Hun, 562. Trask vs Aunett, 1 Dem., 171. Thompson vs Friedberg, 54 How., 519. Bliss vs Molter, 58 How., 112; 8 Abb. N. C., 241. Delamater vs Byrne. 59 How., 71. Jones vs Platt, 60 How., 73. Nathans vs Hope, 5 Browne C. P., 401. Fullan vs Hooper, 66 How., 75.

§ **813.**—Trask vs Aunett. 1 Dem., 171.

§ **814** —Titus vs Fairchild, 49 Super. Ct., 211: 4 Browne C. P., 418.

§ **815.**—Manning vs Gould, 47 Super. Ct., 387; 1 McC. C. P., 216.

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§ **817.**—Mayor vs Mayor, 11 Abb. N. C., 367; 2 McC. C. P. 171; 64 How., 230. Mayor vs Coffin, 90 N. Y., 312. Soloman vs Belden, 12 Abb. N. C., 58. Campbell &c., M'f'g. Co. vs Lyddy, 1 McC. C. P., 364. Woodward vs Frost, 19 Week. Dig., 125.

§ **818.**—Soloman vs Belden, 12 Abb. N. C., 58.

§ **819.**—McKay vs Reed, 12 Abb. N. C., 58 (note).

§ **820.**—Webster vs Bond, 9 Hun, 437. B. & O. R. R. Co. vs Arthur, 90 N. Y., 234; 15 Week. Dig., 374. Barnes vs Mayor, &c., of N. Y., 27 Hun, 236. Pustet vs Flannelly, 60 How., 67.

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§ **823.**—Carroll vs Deimel, 95 N. Y., 252.

§ **824.**—Morehouse vs Yeager, 41 Super. Ct. (J. & S.), 306. Edleson vs Duryee, 10 Week. Dig., 364.

§ **825.**—People *ex rel.* Nichols vs Cooper, 57 How., 463. Foster vs Twigg, 18 Week. Dig., 563. Fiske vs Twigg, 5 Browne C. P., 41.

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§ **827.**—*In re* Guardian Savings Inst., 9 Hun, 267. *In re* Booth, 11 Abb. N. C., 145.

§ **828.**—People vs Crandon, 17 Hun, 490. Finn vs Finn, 12 *id.*, 339. Hill vs Hotchkiss, 23 Hun, 414. *In re* Frazer, 92 N. Y., 239. Sherman vs Scott, 27 Hun, 331; 2 Browne C. P., 366. *In re* Hutchinson, 19 Week. Dig., 268. Greismann vs Dreyfus, 4 Browne C. P., 32.

§ **829.**—Amended 1881. Titus vs O'Connor, 18 Hun, 373; 57 How., 391. Head vs Teeter, 10 Hun, 548. Tilton vs Ormsby, *id.*, 7. Somerville vs Crook, 9 *id.*, 664. Bragne vs Lord, 2 Abb. N. C., 1. Ross vs Harden, 42 Super. Ct. (J. & Sp.), 427. Freeman vs Lawrence, 43 *id.*, 288. Card vs Duryea, 66 N. Y., 651. Richardson vs Warner, 13 Hun, 13. Clark vs Bruce, 12 *id.*, 274. Theall vs Steitz, 6 Daly, 482. Chadwick vs Founer, 69 N. Y., 404; rev'g 6 Hun, 543. Allis vs Stafford, 14 Hun, 418. Houghey vs Wright, 12 Hun, 179. Waver vs Waver, 15 Hun, 277. Nearpass vs Gilman, 16 *id.*, 121. Graves vs King, 15 Hun, 367. Ely vs Clute, 19 *id.*, 35. Hill vs Alvord, *id.*, 77. Fisher vs Verplanck, 17 Hun, 150. Severn vs Nat. State Bank, 18 *id.*, 228. Church vs Howard, 79 N. Y., 415. Holcomb vs Holcomb, 20 Hun, 156; 95 N. Y., 316. Schoonmaker vs Wolford, *id.*, 166. Moyer vs Moyer, 21 *id.*, 67. Hammond vs Schultze, 45 Super. Ct. (J. & S.), 611. Hall vs Richardson, 22 Hun, 444. Pratt vs Elkins, 80 N. Y., 198. Carroll vs Davis, 9 Abb. N. C., 60. Potts vs Mayer, 10 Abb. N. C., 63; 86 N. Y., 302. Hill vs Hotchkiss, 23 Hun, 414. Wilkins vs Baker, 24 Hun, 32. Stevens vs Brennan, 79 N. Y., 254. Whitehead vs Smith, 81 N. Y., 151. Platner vs Platner, 78 N. Y., 90. Foote vs Beecher, 78 N. Y., 155. Gorham vs Price, 25 Hun, 11. Hunter vs Herrick, 26 Hun, 272. Wadsworth vs Heermans, 85 N. Y., 630. Miller vs Montgomery, 78 N. Y., 282. Smith vs Ulman, 26 Hun, 386. Hadsall vs Scott, 26 Hun, 617. Ham vs Van Orden, 84 N. Y., 257. *In re* probate will of Smith, 19 Week. Dig., 220; 95 N. Y., 517. Church vs Howard, 17 Hun, 5. Ward vs Plato, 23 Hun, 402. Hoar vs Hoar, 23 Hun, 33. Pursell vs Fry, 19 Hun, 595. Witthaus vs Schack, 24 Hun, 328. Rice vs Motley, 24 Hun, 143. Kale vs Elliott, 18 Hun, 198. Smith vs Hathorn, 25 Hun, 159. Marsh vs Brown, 18 Hun, 319. Benjamin vs Dimick, 4 Redf., 7. Pinney vs Orth, 88 N. Y., 447; 2 Browne C. P., 1. Badger vs Badger, 88 N. Y., 546. Carpenter vs Soule, 88 N. Y., 251. Burnett vs Noble, 5 Redf., 69. *In re* Burke, 5 Redf., 369. National Exch. Bank vs Jones, 9 Daly, 248. Robbins vs Pultzs, 48 N. Y,, Super. Ct, 510. Pope vs Allen, 90 N. Y., 298. *In re* application of N. Y. C. & H. R R. Co., 90 N. Y., 342. Smith vs Cross, 90 N. Y., 549. Maverick vs Marvel, 90 N. Y., 656. Trimmer vs Trimmer, 90 N. Y., 675. Koehler vs Adler, 91 N. Y., 657 Sherman vs Scott, 27 Hun, 331; 2 Browne C. P., 366. Sprague vs Swift, 28 Hun, 49;, 3 Browne C. P., 34. Sweet vs Low, 28 Hun, 432. Corning vs Walker, 28 Hun, 435. Cannon vs North Western Mut Life Ins. Co., 29 Hun, 470. Brown vs Brown, 29 Hun, 498. Lathrop vs Hopkins, 29 Hun, 608. Steele vs Ward, 30 Hun, 555. Pease vs Barnett, 30 Hun, 525. Macdonald vs Woodbury, 30 Hun, 35; 3 Browne C. P., 337; 65 How , 226. Wilson vs Reynolds, 31 Hun, 46. Converse vs Cook, 31 Hun, 417. Barton vs Scramling, 31 Hun, 467. Stephens vs Cornell, 31 Hun, 414; 19 Week. Dig., 306. *In re* Frazer, 92 N. Y., 239 Sanford vs Ellithorp, 95 N. Y., 48. Lane vs Lane, 95 N. Y., 494. Bristol vs Sears, 3 Browne C. P., 329. Scherrer vs Kaufman, 1 Dem., 39. Whelpley vs Loder, 1 Dem., 368. Mutual Life Ins. Co. vs Holloday, 13 Abb N. C., 16. Markell vs Benson, 55 How., 360. Pettit vs Geesler, 58 How., 195. Sacia vs Decker, 1 McC. C. P., 47; 10 Daly, 204. Taylor vs Meldrum, Sheriff, &c., 19 Week. Dig., 25. Wood vs Holmes, 19 Week. Dig., 121. Price vs Price, 19 Week. Dig., 331. Kelley vs Burroughs, 19 Week. Dig., 478.

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§ **830.**—Amended 1879 Waver vs Waver, 15 Hun, 277. Whitehead vs Smith, 81 N. Y., 151 Potts vs Mayer, 46 Super. Ct., 182; rev'd, 10 Abb. N. C., 63. Bradley vs Mirick, 91 N. Y., 293; 16 Week. Dig., 200; 25 Hun, 272. Lawson vs Jones, 61 How., 424; 1 McC. C. P., 247.

§ **831.**—Amended 1879 and 1880, ch. 149, p. 274. Hennessey vs Hennessey, 58 How., 304. Farace vs Farace, 1 McC. C. P., 419.

§ **832.**—Amended 1879, ch. 542, 42 Super. Ct., J. & S., 100; 2 R. S., 701; § 23 repealed by § 832. Sims vs Sims, 75 N. Y., 466. Perry vs People, 86 N. Y., 353; 62 How., 148. People vs McGloin, 28 Hun, 150; 91 N. Y., 241; 16 Week. Dig., 255; 12 Abb. N. C., 172. People vs Scheive, 29 Hun, 122. People vs Hovey, 29 Hun, 382. Sacia vs Decker, 1 McC. C. P., 47; 10 Daly, 204.

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§ **834.**—Pierson vs People, 18 Hun, 239; aff'd 79 N. Y., 424. Edington vs Mutual Life Ins. Co., 5 Hun, 1; rev'd 67 N. Y., 185. Edington vs Ætna Life Ins. Co. 13 Hun, 543. Grattan vs Nat. Life Ins. Co., 15 *id.*, 74. Staunton vs Parker, 19 *id.*, 55. Mott vs Consumers' Ice Co., 2 Abb. N. C., 143. Grattan vs Metropolitan Life Ins. Co., 80 N. Y., 281; S. C., 24 Hun, 43; 28 Hun, 430; 16 Week. Dig., 50; 17 *id.*, 194; 92 N. Y., 274. Pearsall vs Elmer, 5 Redf., 181. Roberts vs O. & L. C. R. R. Co., 29 Hun, 154. Steele vs Ward, 30 Hun, 555. Whelpley vs Loder, 1 Dem., 368.

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§ **836**.—Mason vs Libbey, 2 Abb., N. C., 137. Grattan vs Nat. Life Ins. Co., 15 Hun, 74. Staunton vs Parker, 19 *id.*, 55. Pearsall vs Elmer, 5 Redf., 181.

§ **837**.—Cohen vs Continental Life Ins. Co., 41 Super. Ct. J. & S., 297. Yamato Trading Co. vs Brown, 27 Hun, 248; 2 McC. C. P., 6; 63 How., 283 Canada Steamboat Co. vs Sinclair, 3 Browne C. P., 284. Corbett vs DeComeau, 5 Abb. N. C., 169. Greensward vs Union Dime Savings Inst., 59 How., 399. Walker vs Dunlevy, 4 Browne C. P., 38.

§ **838**.—Crouse vs Frothingham, 27 Hun, 123.

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§ **852.**—Riddle vs Cram, 3 Abb. N. C., 117, note.

§ **853.**—Riddle vs Cram, 3 Abb. N. C., 117, note. McGuffin vs Dinsmore, 4 Abb. N. C., 241. Carrington vs Hutson, 28 Hun, 371; 16 Week. Dig., 12.

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§ **867.**—Amended 1879. *In re* accounting of Kelly, 11 Weekly Dig., 308.

§ **868.**—Central Cross Town R. R. Co. vs Twenty-Third Street R. R. Co., 53 How., 45.

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§ **870.**—Amended 1879. Hynes vs McDermott, 55 How., 259; 7 Daly, 513. Mayor vs Noll, 56 How., 214. Russ vs Campbell, 1 McC. C. P., 41. Tenney vs Mautner, 1 McC. C. P., 64. Black vs Curry, 1 McC. C. P., 193. Williams vs W. U. Tel. Co., 1 McC. C. P., 294; *id.* 84 (note). O'Reilly vs W. U. Tel. Co., 12 Hun, 124. Phœnix vs Dupuy, 2 Abb. N. C., 146. Brandon M'f'g Co. vs Pettengill, *id.* 162. Beach vs Mayor, &c., 14 Hun, 79; 4 Abb. N. C., 236. Greer vs Allen, 15 Hun, 432. Chapin vs Thompson, 16 Hun, 53. Boorman vs A. & P. R. R. Co., 17 Hun, 555; S. C. 78 N. Y., 599. Parsons vs Belden, 9 Abb. N. C., 54. Brisbane vs Brisbane, 20 Hun, 48. Seeley vs Clark, 78 N. Y., 220. Berdell vs Berdell, 86 N. Y., 519; 2 Browne C. P., 159. Town of Hancock vs First Nat. Bank, 93 N. Y., 82. McGuffin vs Dinsmore, 4 Abb. N. C., 241. Montague vs Worstell, 4 Abb. N. C., 248 (note). Corbett vs DeComeau, 54 How., 506: 5 *id*, 169; S. C. 44 Super. Ct., 306; 5 Abb. N. C., 169. *In re* Paulmier, 5 Abb. N. C., 157; 56 How., 1. Levy vs Loeb, *id.* 157; S. C. 44 Super. Ct., 291. Dunham vs Mercantile Mut. Ins. Co., 44 Super. Ct, 387; S. C. 6 Abb. N. C., 70. People vs Mutual Gas Light Co, 14 Hun, 157; S. C. 74 N. Y., 434; 54 How, 286. Tebo vs Baker, 16 Hun, 182; S. C. 77 N. Y., 33. Sharp vs Hutchinson, 48 Super. Ct., 101; 14 Weekly Dig., 87. Roberts vs O. & L. C. R. R Co., 29 Hun, 154. Almy vs Thurber, 12 Abb. N. C., 462. Wayne Co. Sav'g B'k vs Brackett, 18 Weekly Dig., 530; 31 Hun, 434. Duncan vs Jones, 32 Hun, 12. Yamato Trading Co vs Brown, 2 McCarty C. P., 6; 27 Hun, 248. Hutchinson vs Lawrence, 3 Browne C. P., 99. Canada Steamship Co. vs Sinclair, 3 Browne C. P., 284. Murphy vs N. Y. C. & H. R. R. R. Co., 31 Hun, 358. Newrath vs Schmitz, 2 Browne C. P., 400. Brandon M'f'g Co. vs Bridgman, 14 Hun, 122. Ludewig vs Pariser, 54 How., 498. Cook vs Lalance Grosjean M'f'g Co., 3 Browne C. P., 333. De Léon vs De Lima, 66 How., 287. Fogg vs Fisk, 66 How., 343; 4 Browne C. P., 344 Andrews vs Keene, 4 Browne C. P., 330. Funk vs Tribune Association, 4 Browne C. P., 408. Griesmann vs Dreyfus, 4 Browne C. P., 32 Walker vs Dunlevy, 4 Browne C. P., 38. Briggs vs Taylor, 4 Browne C. P., 328. Goldberg vs Roberts, 5 Browne C. P., 96. Wallace vs Wallace, 19 Week. Dig., 495.

§ **871.**—*In re* Bryan, 3 Abb. N. C., 289. Russ vs Campbell, 1 McC. C. P., 41. Tenney vs Mantner, 1 McC. C. P., 64.

§ **872.**—Amended 1879 and 1880, chap. 536, p. 755. Freiberg vs Branigan, 3 Abb. N. C., 121. Wetmore vs Hegeman, *id.*, 123, Martin vs Spofford, *id.*, 125. Webster vs Stockwell, 3 Abb. N. C., 116. *In re* Bryan, 3 Abb. N. C., 289. Riddle vs Cram, *id.*, 117 (note). Robertson vs Russell, 20 Hun, 243. Burnett vs Snyder, 41 Super. Ct., J. & S., 343. Hynes vs McDermott, 7 Daly, 513; 55 How., 259 Preston vs Hencken, 9 Abb. N. C., 68. Boorman vs Pierce, 56 How., 251. Corbett vs De Comeau, 5 Abb. N. C, 169; 54 How, 506; 5 Abb N. C., 252. Town of Hancock vs First Nat. Bank, 93 N. Y., 82. Crooke vs Corbin, 23 Hun, 176. Kinney vs Roberts, 26 Hun, 166. Hutchinson vs Lawrence, 29 Hun, 450; 17 Week. Dig., 186. Fourth Nat. Bank vs Boynton, 29 Hun, 441; 17 Week. Dig., 23. Beach vs Mayor, &c., 4 Abb. N. C., 236. Ludewig vs Pariser, *id.*, 246; 54 How., 498. Simonds vs Hudson, 4 Abb. N. C., 247 (note). Montague vs Worstell, *id*, 248 (note). Shepard vs Conrad, *id.*, 254. Dunham vs Mercantile Mut. Ins. Co., 6 *id.*, 70: S C., 44 Super. Ct., 387; 56 How., 240. Heishon vs Knickerbocker Life Ins. Co., 45 Super Ct., 34; rev'd 77 N Y., 278. Le Roy vs Mathewson, 47 Super. Ct., 389. Dart vs Laimbeer, *id.*, 490. Williams vs W. U Tel. Co., *id.*, 380. Gilbert vs Third Ave R. R. Co., 49 *id.*, 129. Reichman vs Manhattan Co., 26 Hun, 433. Berdell vs Berdell, 86 N. Y., 519. Knowlton vs Bannigan, 11 Abb. N. C., 419; 2 McC. C. P., 317. Fogg vs Fisk, 30 Hun, 61; 66 How., 343; 4 Browne C. P., 344. Hardy vs Peters, 30 Hun, 79. Wayne Co. Sav'g B'k vs Brackett, 31 Hun, 434; 18 Weekly Dig., 530. Beebe vs Richardson, 2 McC. C. P., 319. *In re* Ketchum's Application, 60 How., 154. Russ vs Campbell, 1 McC. C. P., 40. Tenney vs Mautner, 1 McC. C. P., 64. Williams vs W. U. Tel. Co., 1 McC. C. P., 294; *id.* (note) 84. *In re* Morris & Matthews, 19 Week. Dig., 375. Van Ray vs Harriott, 66 How., 269. Briggs vs Taylor, 4 Browne C. P., 328. Lathrop vs Brown, 5 Browne C. P., 101.

§ **873.**—Amended 1879 and 1884, ch. 399, p. 481. Chapin vs Thompson, 16 Hun, 53. Elmore vs Hyde, 2 Abb. N. C., 129. Byrne vs Mulligan, 41 Super. Ct., J. & S., 515. Mayer vs Noll, 56 How., 214. Harold vs N. Y. El. R. R. Co., 21 Hun, 268. Heishon vs Knickerbocker Life Ins. Co., 77 N. Y., 278. Tebo vs Baker. 16 Hun, 182; S. C. 77 N. Y., 33. Berdell vs Berdell, 86 N. Y., 519. Corbett vs Gibson, 16 Hun, 241. Borthwick vs Howe, 27 Hun, 505. Webster vs Stockwell, 3 Abb. N. C., 116. Brandon M'f'g Co. vs Pettingill, 2 Abb. N. C., 162. Hynes vs McDermott, 7 Daly, 513; 55 How., 259. Hickey vs O'Connor, 45 Super. Ct., 614. Kirkland vs Moss, 11 Abb. N. C., 421. Andrews vs Prince, 31 Hun, 233. Levy vs Loeb, 5 Abb. N. C., 157. Corbett vs DeComeau, 5 Abb. N. C., 169; 54 How., 506. The People vs Mut. Gas Light Co., 54 How., 286. Ludewig vs Pariser, 4 Abb. N. C., 169; 54 How., 498. Miller vs Kent, 59 How., 321. Fitz Patrick vs Van Schaick, 59 How., 472. Russ vs Campbell, 1 McC. C. P., 41. Tenney vs Mautner, 1 McC. C. P., 64. Lathrop vs Brown, 5 Browne C. P., 101. Andrews vs Prince, 31 Hun, 233.

§ **874.**—Laws 1882, chap. 397. Hesse vs Briggs, 45 N. Y., Super. Ct., J. & S., 421. Brisbane vs Brisbane, 20 Hun, 48.

§ **875.**—Amended 1879. Park vs Proal, 54 How., 93. Greer vs Allen, 15 Hun, 432. Chapin vs Thompson, 16 Hun, 53. Harold vs N. Y. El. R. R. Co., 21 Hun, 268. Levy vs Loeb, 5 Abb. N. C., 157. Brandon M'f'g Co. vs Bridgeman, 14 Hun, 122. Beach vs Mayor, &c., 14 Hun, 79; 4 Abb. N. C., 236. People vs Mutual Gas Light Co., 74 N. Y., 434. Tebo vs Baker, 16 Hun, 182; S. C. 77 N. Y., 33. Webster vs Stockwell, 3 Abb. N. C., 116. *In re* Bryan, 3 Abb. N. C., 289. Riddle vs Cram. *id.*, 117 (note). Freiberg vs Branigan, *id.*, 121. Wetmore vs Hegeman, *id.*, 123. Martin vs Spofford, *id.*, 125. Sharp vs Hutchinson, 48 N. Y., Super. Ct., 101.

§ **876.**—Amended 1879. Harrold vs N. Y. El. R. R. Co., 21 Hun, 268. Hesse vs Briggs, 45 Super Ct., J. & S., 417.

§ **877.**—Repealed 1877. Inserted by-laws 1882, ch. 397. Van Roy vs Harriott, 30 Hun, 77.

§ **878.**—Repealed 1877.

§ **879.**—Laws 1882, ch. 397.

§ **880.**—Amended 1879. Foster vs Bullock, 12 Hun, 200. Hewlett vs Wood, 67 N. Y., 394, 399. Yamato Trading Co vs Brown, 27 Hun, 248; 2 McCarty C. P., 6; 63 How., 283. Roberts vs O. & L C. R. R. Co., 29 Hun, 154. Canada Steamship Co. vs Sinclair, 3 Browne C. P, 284. Ludewig vs Pariser, 54 How., 498. Corbett vs DeComeau, 54 How., 506; 5 Abb. N. C., 169. Mayer vs Ehrlich, 19 Week. Dig., 376. Andrews vs Prince, 66 How., 280. Walker vs Dunlevy, 4 Browne C. P., 38. Greismann vs Dreyfus, *id.*, 32. Funk vs Tribune Ass'n, *id.*, 408.

§ **881.**—Hewlett vs Wood, 67 N. Y., 394. Berdell vs Berdell, 2 McCarty C. P., 11. McDonald vs Woodbury, 3 Browne C. P., 337; 30 Hun, 35. Murphy vs N. Y. C. & H. R. R. Co., 31 Hun, 358. Fogg vs Fisk, 4 Browne C. P., 344; 66 How., 343.

§ **882.**—Laws 1882, ch. 397. Town of Hancock vs First National Bank, 93 N, Y., 82. Elverson vs Vanderpool, 41 Super. Ct., 257. Berdell vs Berdell, 2 McCarty, C P.. 11.

§ **883.**—Rice vs Motley, 24 Hun, 143. Fogg vs Fisk, 4 Browne C. P., 344; 66 How., 343.

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§ **886.**—Marsh vs Woolsey, 14 Hun, 1. Gustaf vs Am. Steamship Co., 31 Hun, 95; 4 Browne C. P., 243. Dunham vs Mercantile Mut Ins. Co., 56 How., 240: 6 Abb. N.C., 70; 44 Super. Ct., 387.

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§ **887.**—Amended 1879. O'Brien vs Commercial Fire Ins. Co., 41 Super. Ct. (J. & S.) 224. Clark vs Candee, 29 Hun, 139. Dunham vs Mercantile Mut. Ins. Co., 56 How., 240; 6 Abb. N. C., 70: 44 Super. Ct., 387. Champlin vs Stoddart, 64 How., 378. Estate of Voorhis, 5 Browne C. P., 444.

§ **888.**—Clark vs Candee, 29 Hun, 139. Champlin vs Stoddart, 64 How., 378.

§ **889.**—Mason & Hamlin Organ Co. vs Pugsley, 19 Hun, 282. Clark vs Candee, 29 Hun, 139 Estate of Voorhis, 5 Browne C. P., 444.

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§ **891.**—Uline vs N. Y. C. & H. R. R. Co. 79 N. Y., 175: 9 Week. Dig., 344

§ **892.**—Uline vs N. Y. C. & H. R. R. Co., 79 N. Y., 175: 9 Week. Dig., 344.

§ **893.**—Jemison vs Citizens Bank, 85 N. Y., 546; S. C., 24 Hun, 350.

§ **894.** –Jemison vs Citizens Bank, 85 N. Y., 546; S. C., 24 Hun, 350. Jones vs Hoyt, 48 N. Y., Super. Ct , 118; 10 Abb. N. C., 324; 14 Week. Dig., 113; 63 How., 94.

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§ **901.**—O'Brien vs Commercial Fire Ins. Co., 41 Super. Ct., 224. Kelly vs Weber, 9 Abb. N. C., 62.

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§ **920.**—Perry vs People, 86 N. Y., 353; 62 How., 148.

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§ **930.**—Derham vs Lee, 60 How., 334; 47 Super. Ct., 174; S. C., 87 N. Y., 599.

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§ **996.**—Henderson vs Fullerton, 54 How., 422.

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§ **1059.**—Pierson vs People, 18 Hun, 239; aff'd 79 N. Y., 424.

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§ **1219.**—Amended 1879.

§ **1220.**—Levin vs Haas, 25 Hun, 666. Valentine vs Cen't Bank, 10 Abb. N. C., 188. Crim vs Starkweather, 19 Week. Dig., 403.

§ **1221.**—Amended 1877. Valentine vs Cent. Nat. Bank, 10 Abb. N. C., 188.

§ **1222.**—Amended 1879. Smith vs Rathbun, 88 N. Y., 660. Caro vs Met. El. R. R. Co., 2 Browne C. P., 371.

§ **1223.**—Amended 1877. Meyers vs Becker, 29 Hun, 567.

§ **1224.**—Amended 1877. Caro vs Met. El. R. R. Co., 2 Browne C. P., 371. Crim vs Starkweather, 19 Week. Dig., 403.

§ **1225.**—Madison University vs White, 25 Hun, 490.

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§ **1228.**—Amended 1879. Marvin vs Marvin, 75 N. Y., 240. Van Gelder vs Van Gelder, 26 Hun, 356. McCleary vs McCleary, 30 Hun, 154. Ross vs Ross, 31 Hun, 140. Morgan vs Stevens, 6 Abb. N. C., 356.

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§ **1230.**—Liegeois vs McCrackan, 22 Hun, 69; 10 Week. Dig., 454.

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§ **1232.**—Fischer vs Raab, 57 How., 87.

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§ **1236.**—Miller vs Sheldon, 15 Hun, 220. Sheridan vs Linden, 81 N. Y., 182. Whitney vs Townsend, 67 N. Y., 40 Knapp vs Roche, 82 N. Y., 366. Lacustrine Fertilizer Co. vs Lake Guano, &c. Co., 16 Hun, 484; S. C., 56 How., 370.

§ **1237.**—Amended 1879. Lyddy vs Chamberlain, 24 Hun, 377.

§ **1238.**—Knapp vs Roche, 82 N. Y., 366; 10 Week. Dig., 187.

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§ **1240.**—Randell vs Dusenberry, 41 Super. Ct., 457. O'Gara vs Kearney, 77 N. Y., 423; S. S., 57 How. Pr., 439. People *ex rel.* Fries vs Riley, 25 Hun, 587. Crotty vs McKenzie, 42 Super. Ct., 192. Noland vs Noland, 29 Hun, 630. *In re* Stockbridge and Marvin, 58 How., 128; 10 Daly, 33. Myers vs Becker, 19 Week. Dig., 39.

§ **1241.**—Pritchard vs Pritchard, 4 Abb. N. C., 298. People *ex rel.* Fries vs Riley, 25 Hun, 587. Cochrane's ex'trs vs Ingersoll, 73 N. Y., 613. Schulte vs Anderson, 48 N. Y., Super. Ct., 133. Noland vs Noland, 29 Hun, 630. O'Gara vs Kearney, 57 How., 439; 77 N.Y., 423. Myers vs Becker, 10 Week. Dig., 39. Ryckman vs Ryckman, 19 Week. Dig., 41. Hall vs U. S. Reflector Co., 4 Browne C. P., 148.

§ **1242.**—Bedford vs Tupper, 30 Hun, 174.

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§ **1244.**—Amended 1879. Randall vs Von Ellert, 4 Abb. N. C., 88; S. C., 12 Hun, 557; 54 How., 363. Bedford vs Tupper, 30 Hun, 174.

§ **1245.**—Union D. Sav'gs Inst. vs Duryea, 67 N. Y., 84. Green vs Milbank, 3 Abb. N. C., 138-150. Sheridan vs Linden, 81 N. Y., 182.

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§ **1247.**—Hobart vs Hobart, 86 N. Y., 636; S. C., 23 Hun, 484. People *ex rel.* Crittenden vs Keenan, 31 Hun, 625.

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§ **1252.**—Bronner vs Loomis, 17 Hun, 439. Evans vs Hill, 18 Hun, 464.

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§ **1256.**—Union D. Sav'gs Inst. vs Duryea, 3 Hun, 210; aff'd 67 N. Y., 84. Green vs Milbank, 3 Abb. N. C., 138–150. Harmon vs Hope, 87 N. Y., 10. Briggs vs Brown, 13 Abb. N. C., 481.

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§ **1269.**—Cook vs Ryan, 29 Hun, 249. Blumenthal vs Anderson, 28 Hun, 93; 91 N. Y., 171; 15 Week. Dig., 427; 16 *id.*, 78.

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§ **1271.**—Stricken out in 1879. Tompkins vs Purcell, 12 Hun, 662. Goodyear D. V. Co. vs Frisselle, 57 How., 255.

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§ **1274.**—Marrin vs Marrin, 27 Hun, 601; 15 Week. Dig., 329. Field vs Bland, 8 Abb. N. C, 221; 81 N. Y., 239. Orleans Co. Nat. Bank vs Spencer, 19 Hun, 569. Butts vs Schieffelin, 5 Browne C. P., 415.

§ **1275.**—Grant vs Griswold, 21 Hun, 509.

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§ **1279.**—Waring vs O'Neil, 15 Hun, 105. Dickenson vs Dickey, 76 N. Y., 602. City of Buffalo vs Mackay, 15 Hun, 204. Kennedy vs Mayor, &c., of N. Y., 79 N. Y., 361. Luhrs vs Eimer, 80 N. Y., 171. Iseman vs Myres, 26 Hun, 651. People vs Albany Ins. Co., 92 N. Y., 458. People vs Mut. End. and Ac. Assoc., 92 N. Y., 622. Bloomfield vs Ketcham, 95 N. Y., 657; 5 Browne C. P., 407; 18 Week. Dig., 540. McDonald vs Ross-Lewin, 29 Hun, 88.

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§ **1292.**—O'Gara vs Kearney, 77 N. Y., 423; S. C. 57 How. Pr., 439. Rogers vs Ivers, 23 Hun, 424.

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§ **1303.**—McKinstry vs Sahler, 17 Hun, 136. Roberts vs Davids, 12 Hun. 394. Eldridge vs Underhill, 17 Hun, 241. Architectural Iron Works vs City of Brooklyn, 85 N. Y., 652. Katz vs Kuhn, 9 Daly, 172. Lavalle vs Skelly, 90 N. Y., 546; 16 Week. Dig., 41. Piper vs Van Buren, 27 Hun, 384. Wheeler vs Millar, 61 How., 396.

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§ **1328.**—Laws 1880, ch. 529, p. 746. Morss vs Hasbrouck, 63 How., 201; 10 Abb. N. C., 407; 2 Browne C. P., 119.

§ **1329.**—Morss vs Hasbrouck, 10 Abb. N. C., 407; 63 How., 201; 2 Browne C. P., 119. Dunseith vs Linke, 10 Daly, 363.

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§ **1335.**—Amended laws 1882, ch. 397. Manning vs Gould, 90 N. Y., 476; 2 McCarty C. P., 310; 3 Browne C. P., 58; 64 How., 429; 16 Week. Dig., 41; 47 Super. Ct., 387. Wheeler vs Millar, 61 How., 396. Hooker vs Townsend, 66 How., 349. Ross vs Markham, 5 Browne C. P., 81.

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§ **1342.**—Amended 1881. Newell vs Cutler, 19 Hun, 74. Andrews vs Long, 79 N.Y., 573; 19 Hun, 303. Fish vs Thrasher, 21 Hun, 15. Kincaid vs Richardson, 25 Hun, 237. Roberts vs Marson, 21 Hun, 363. *In re* McArdle, 30 Hun, 465. Matteson vs Hall, 64 How., 515.

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§ **1344.**—Andrews vs Long, 79 N. Y., 573.

§ **1345.**—Andrews vs Long, 79 N. Y., 573.

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§ **1381.**—Freeman vs Nelson, 4 Redf., 374. Kerr vs Kreuder, 28 Hun, 452; 16 Week. Dig., 85. Wadley vs Davis, 30 Hun, 570; 29 Hun, 12. Gillies vs Kreuder, 1 Dem., 349.

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§ **2431.**—Amended 1884, ch. 406, p. 485. Jewett vs Swan, 19 Week. Dig., 144.

§ **2432**.—Felt vs Dorr, 29 Hun, 14; 16 Week. Dig., 385. Baldwin vs Perry, 1 McC. C. P., 118; *id.*, 32; 25 Hun, 72; 61 How., 289; 12 Week. Dig., 398. Merchant vs Sessions, 5 Browne C. P., 24.

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